



SOCIETY
FOR THE
PROTECTION
OF
NEW HAMPSHIRE
FORESTS

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December 20, 2002

C. Wayne Ives, Hydrogeologist
Watershed Management Bureau
NH Department of Environmental Services
PO Box 95 - 6 Hazen Drive
Concord, NH 03302-0095

Re: Adoption of Rules for Protection of Instream Flow

Mr. Ives:

By this letter, the Society for the Protection of New Hampshire Forests (SPNHF) registers its support for the Department of Environmental Services (DES) proposed administrative rules for protection of instream flow as issued in its November 15 Rulemaking Notice. In our view, the Department's proposed rules satisfactorily implement the mandates established by the Rivers Management and Protection Act (RSA 483) as modified by the Protected Instream Flow Studies on the Lamprey and Souhegan Rivers, as defined by Chapter 278, Laws of 2002.

Since the original establishment of instream flow protection provisions in 1990, the DEC, RMAC and numerous stakeholders have worked to develop a coordinated instream flow protection program that both fulfills the intent of the statute, and is acceptable to stakeholders with diverse, and sometimes divergent, interests. The instream flow rules pilot projects established during the 2002 legislative session through HB1449 were the result of a remarkable collaboration of conservation organizations, including the Forest Society, and the business community.

The latest iteration of the rules implements the requirements of HB1449 and Chapter 278, Laws of 2002, and the proposed pilot projects. The proposed rules wisely leave the science of instream flow to a committee of technical experts and the water management plan and its implementation to a stakeholder committee. We support adoption of the proposed rules, as well as the provision of adequate state funding, so that DES move ahead with the Lamprey and Souhegan pilot projects.

Sincerely,

Christopher Wells
Policy Specialist
Society for the Protection of New Hampshire Forests

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DEPARTMENT OF
ENVIRONMENTAL SERVICES